

# Exhibit 9

1 UNITED STATES DISTRICT COURT

2 FOR THE WESTERN DISTRICT OF NEW YORK

3 -----  
4 **BLACK LOVE RESISTS IN THE RUST, et al.,**  
5 **individually and on behalf of a class of**  
6 **all others similarly situated,**

7 Plaintiffs,

8 -vs-

1:18-cv-00719-CCR

9 **CITY OF BUFFALO, N.Y., et al.,**

10 Defendants.  
11 -----

12 **DEPOSITION OF DANIEL DERENDA**

13 **Taken pursuant to Rule 30(b)(6)**

14 **of the Federal Rules of Civil Procedure**

15 **APPEARING REMOTELY FROM**

16 **BUFFALO, NEW YORK**

17 **(ATTORNEYS' EYES ONLY PAGES 138 - 142)**

18 January 23rd, 2024

19 At 9:30 a.m.

20 Pursuant to notice

21  
22 REPORTED BY:

23 Rebecca L. DiBello, RPR, CSR(NY)

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~~DANIEL DERENDA~~

1 Q. Now, traffic safety was not listed as one of  
2 the four missions of the Strike Force on the  
3 mission statement, correct?

4 A. It's not listed on this mission statement.

5 Q. Okay. Now, let's turn to the activities the  
6 Strike Force engaged in while it was in  
7 existence. Once established the Strike Force  
8 was designed to target patrol areas, correct?

9 MR. SAHASRABUDHE: Objection to form.

10 Can you restate?

11 Q. Once established the Strike Force had assigned  
12 patrol areas, correct?

13 A. They had assigned areas, correct.

14 Q. Areas that were referred to as patrols?

15 MR. SAHASRABUDHE: Objection as to form.

16 A. I'm not understanding.

17 Q. Did you call the areas that the Strike Force  
18 was assigned to patrol locations or patrol  
19 areas?

20 A. Areas. Like they were by number.

21 Q. Okay. And the majority of the patrol areas  
22 were on the East Side?

23 A. I believe it broke down the city by different

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1 areas by number.

2 Q. As far as the actual locations where the  
3 Strike Force was dispatched, was that  
4 predominantly on the East Side?

5 A. The Strike Force was dispatched based on crime  
6 trends and things going on in the area,  
7 different areas.

8 Q. There is data available about where those  
9 locations tended to be, correct?

10 A. There was data gathered where those locations  
11 -- yeah. There would be based on their  
12 reports, yes.

13 Q. Okay. And you were often involved in the  
14 decision as to where the Strike Force would be  
15 dispatched, correct?

16 MR. SAHASRABUDHE: Object to the form.

17 A. I was, Lockwood was, the chiefs were,  
18 sometimes the captains, maybe Serafini of the  
19 Strike Force or the other captain. I don't  
20 recall his name. And sometimes the  
21 lieutenants picked the locations based on  
22 information.

23 Q. And that is to say that the commissioner

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1 participated in the selection of the Strike  
2 Force's patrol locations, correct?

3 A. I believe I did, yes.

4 Q. As did the deputy police commissioner,  
5 correct?

6 A. Lockwood, correct.

7 Q. As did captains who were involved in the  
8 Strike Force, correct?

9 A. I believe at times they may have, correct.

10 Q. And as well as lieutenants involved in the  
11 Strike Force, correct?

12 A. I think that was limited, but I believe it  
13 could have taken place.

14 Q. Okay. And to the extent it took place, it was  
15 with the authorization of the BPD chain of  
16 command?

17 A. Correct.

18 Q. Okay. Now, what criteria was used in  
19 selecting the Strike Force patrol locations?

20 A. Locations based on current issues going on.  
21 We discussed with chiefs. We looked at crime  
22 stats, crime hot spots and they dispatched  
23 based on what was going on at that time,

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1 trends at the time they were assigned to  
2 different areas.

3 Q. Okay. Was crime data related to the location  
4 of motor vehicle accidents considered?

5 A. For the Strike Force?

6 Q. Correct.

7 A. No.

8 Q. Was trend data related to the incidence of  
9 motorists driving without licenses or  
10 registrations considered?

11 A. For the location of the Strike Force, no.

12 Q. Yes. Was there any consideration of traffic  
13 safety data related to the location of Strike  
14 Force patrols?

15 MR. SAHASRABUDHE: We're talking about  
16 patrol locations, correct?

17 Q. Correct.

18 A. No.

19 Q. Okay. Now, in the instances where you were  
20 not responsible as commissioner for selecting  
21 patrol locations you were made aware of them,  
22 correct?

23 MR. SAHASRABUDHE: Objection as to form.

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1 A. I would be copied on a daily Strike Force  
2 report so, yes, I would review those reports  
3 periodically, so I would have been made aware  
4 of.

5 Q. Okay. And if you had concerns or objections  
6 to the patrol locations you could have voiced  
7 those concerns, correct?

8 MR. SAHASRABUDHE: Objection to form.

9 A. Yes.

10 Q. Did you ever?

11 A. I don't recall.

12 Q. And there were others in the BPD who received  
13 Strike Force daily reports, correct?

14 A. It would be -- yes, that's correct.

15 Q. Who were those individuals by job title?

16 A. I don't remember the total who would be on it,  
17 but it would be district chiefs at the time.  
18 The deputy commissioners would receive it. I  
19 would receive it. Strike Force lieutenants  
20 would receive it. Captains, all chiefs. That  
21 would probably be the chain. I don't recall  
22 exactly who would be on that chain.

23 Q. Okay.

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1 A. I didn't educate myself on that prior to.

2 Q. But in any event, members of BPD's leadership  
3 including the commissioner received the daily  
4 reports?

5 A. Yes.

6 Q. What was the function of the Strike Force  
7 daily reports?

8 A. Of the daily reports?

9 Q. Yes.

10 A. To know what was being done. My philosophy is  
11 what gets measured gets done.

12 Q. So as commissioner you were briefed on a daily  
13 basis about the Strike Force's activities in  
14 the City of Buffalo, correct?

15 A. I was sent a daily report. Whether I read it  
16 daily or not, sometimes, sometimes not.

17 Q. Okay. But you were nonetheless given notice  
18 about the activities the Strike Force was  
19 engaged in in the City of Buffalo?

20 MR. SAHASRABUDHE: Objection as to form.

21 A. I was sent the daily report.

22 Q. Okay. And that was a practice that was  
23 instituted during your time as commissioner of

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1 gun violence, correct?

2 MR. SAHASRABUDHE: Objection as to form.

3 You may answer.

4 A. The Strike Force operated checkpoints at my  
5 request as part of their patrol duties as  
6 often as possible each and every day. I would  
7 like them to have done a checkpoint each and  
8 every day for the purpose of traffic safety  
9 with the secondary purpose of high visibility.  
10 That was part of what I expected from them  
11 every day.

12 Q. So during your time as BPD commissioner you  
13 expected the Strike Force to be operating  
14 checkpoints each and every day, correct?

15 A. Or sometimes they couldn't due to manpower  
16 constraints or other issues going on, but  
17 generally speaking I would have liked to have  
18 at least one checkpoint done a day.

19 Q. Subject to manpower consideration, correct?

20 A. Yes, and other considerations.

21 Q. And that was an expectation you communicated  
22 to Strike Force members, correct?

23 A. To Strike Force supervisors. It would be the

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1           this grant which the officers would have  
2           performed.

3           Q. Thank you.

4                       Now, moving on, when the Strike Force  
5           operated checkpoints they received assistance  
6           at times from the Housing Unit, correct?

7           A. Correct.

8           Q. The Strike Force and Housing Unit also engaged  
9           in traffic enforcement outside of checkpoints,  
10          correct?

11          A. It would be part of their duties on patrol to  
12          enforce traffic, correct.

13          Q. So they engaged in these activities with your  
14          knowledge and permission?

15          A. Yes.

16          Q. Including on the East Side?

17          A. Including all parts of the City of Buffalo.

18          Q. And that includes the East Side?

19          A. Correct.

20          Q. Now, as BPD commissioner you participated in  
21          the decision to deploy the Strike Force for  
22          use in traffic enforcement, correct?

23                       MR. SAHASRABUDHE: Objection as to form.

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1 permission as Strike Force to do so when I was  
2 commissioner.

3 Q. You mean as Housing Unit?

4 A. Housing and Strike Force. I just don't recall  
5 personally them doing them.

6 Q. Okay. Since you have been educated about this  
7 topic and since it squarely falls under Topic  
8 2, how frequently did the Housing Unit conduct  
9 its own checkpoints?

10 MR. SAHASRABUDHE: Objection as to form.

11 A. I don't have that information.

12 Q. Do you know whether the Housing Unit  
13 checkpoints differed from Strike Force  
14 checkpoints in any way?

15 A. Any checkpoints done by whether Housing or  
16 Strike Force had to follow the Manual of  
17 Procedure and the roadblock checkpoint  
18 directive.

19 Q. So there were no differences that you're aware  
20 of between the way Housing Unit checkpoints  
21 were supposed to function and Strike Force  
22 checkpoints?

23 A. It should have functioned or followed -- the

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~~DANIEL DERENDA~~

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**BY MS. EZIE:**

Q. Mr. Derenda, are you aware of any instances where the Housing Unit issued checkpoint directives when operating checkpoints without the Strike Force?

MR. SAHASRABUDHE: Objection to form.

A. I am not aware if they issued directives. I am telling you it was part of what they should have done. I don't even know if these records would exist today or where they would be kept but, again, if they did a checkpoint they were under the same orders as anyone else who would have done a checkpoint under the Manual of Procedure and the directives they should have. I can't tell you if they did.

Q. Why did the Manual of Procedures require that checkpoint directives be issued in connection with checkpoints?

A. Because the directive states everything they should and shouldn't do and I believe the directive again about traffic safety, about the time and place and setting up for --

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1           again, I don't have the directive in front of  
2           me, but it lays out what the officers should  
3           do to make everybody safe and to do what I  
4           believe constitutionally.

5           Q. To confirm, however, you are not aware of  
6           whether the Housing Unit complied with this  
7           requirement, correct?

8           A. I am not aware. I am telling you that they  
9           should have.

10          Q. Okay. Now, Mr. Derenda, there are special  
11          rules that apply to towing cars on private  
12          property, correct?

13          A. Yes.

14          Q. The same thing with issuing parking tags on  
15          private property?

16          A. That would be correct.

17          Q. And technically speaking, BMHA parking lots  
18          are private property, correct?

19                 MR. SAHASRABUDHE: Objection as to form.

20          A. It would be BMHA property which is a  
21          government entity.

22          Q. But it's not a public roadway, correct?

23                 MR. SAHASRABUDHE: Objection as to form.

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—DANIEL DERENDA—

1 MR. SAHASRABUDHE: Form.

2 A. When it was necessary when it should be done,  
3 yes.

4 Q. While operating checkpoints, correct?

5 A. While operating checkpoints they should  
6 enforce all the V&T rules, all laws and it  
7 should be done on every vehicle that comes  
8 through so everybody is treated equally.

9 Q. Okay. So conducting impounds was part of the  
10 expected role of officers operating at Strike  
11 Force checkpoints?

12 MR. SAHASRABUDHE: Objection to form.

13 A. It wasn't expected, but if they impound the  
14 vehicle it would be part of what they did for  
15 various reasons through the checkpoint.

16 Q. It's something that you tracked as far as data  
17 is concerned?

18 A. I believe they might have put down the number  
19 of impounds on the report. I don't recall  
20 exactly, but they would track all the numbers  
21 whether it was traffic summonses, number of  
22 misdemeanor arrests, felony arrests, guns  
23 recovered. There might have been impounds on

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1           there, but I don't recall that.

2           Q. And it was your policy to have the Strike  
3           Force track those type of statistics, correct?

4           A. It was my policy to have them track basically  
5           all statistics. As I said, what gets measured  
6           gets done.

7                       I know when Strike Force is out there  
8           and they're a proactive policing unit, they  
9           are not tied to the radio, to tell me that  
10          they're out there for eight hours or ten hours  
11          a shift and there's five cars and two-man cars  
12          that they should be doing something.

13                      There should be numbers of tickets  
14          because if you drive around you can always see  
15          traffic infractions. There's always something  
16          and they're a proactive unit and they were  
17          instructed to be proactive and be out there  
18          enforcing the law, zero tolerance.

19          Q. And whose policy was the zero tolerance  
20          policy?

21          A. It was basically my policy, but it was always  
22          the mayor's crime plan, zero tolerance crime  
23          policy. It was basically my plan put together

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1 and that we'd be very proactive with the goal  
2 of reducing crime throughout the city and  
3 making the city safer.

4 Q. Why did you and the mayor adopt a zero  
5 tolerance crime policy?

6 MR. SAHASRABUDHE: Objection as to form.

7 A. The zero crime policy in my opinion during my  
8 time as deputy commissioner and commissioner  
9 of police resulted in a 40 percent drop in  
10 part one crimes throughout the City of  
11 Buffalo, 40 percent down overall. That's why  
12 we adopted that policy and our policy seems to  
13 have worked.

14 Q. And when you say part one crimes what are you  
15 referring to?

16 A. Part one crimes is tracked by the FBI.  
17 Everything from violent crimes, robbery,  
18 rapes, homicides. Then you have assaults and  
19 then you have larcenies, unauthorized use of a  
20 motor vehicle, burglary and I'm missing one  
21 more in there somewhere, but they track those  
22 numbers.

23 It's listed under part one crimes and

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DANIEL DERENDA

1 Q. Okay. The Housing Unit also submitted detail  
2 reports of sorts to you, correct?

3 A. Correct.

4 Q. And it was your practice to review the  
5 submissions of the Housing Unit and Strike  
6 Force?

7 A. I would periodically review the daily reports.  
8 I didn't read every report that came to me.  
9 They were all sent to me whether they were  
10 from district details, Strike Force, Housing.  
11 I got the reports daily. I read some. I  
12 didn't read others.

13 Q. Why did you read them from time to time?

14 A. Just to keep track to make sure things were  
15 being done. Again, going back to my  
16 statement, what gets measured gets done, so I  
17 look at an example of a detail report and we  
18 have a chief's meeting and I say, okay, you  
19 ran a detail for five days and there wasn't  
20 one thing done. You ran a detail for eight  
21 hours a day on the 198 and there was not one  
22 speeding ticket written.

23 Well, you can drive down the 198 today

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— DANIEL DERENDA —

1           and every car you see is going over 30 miles  
2           an hour. So if they were out there eight  
3           hours and they wrote no tickets they weren't  
4           trying very hard and I would address  
5           situations like that with the chief.

6           Q. And so it was your practice to give feedback  
7           on the production of the Strike Force and  
8           Housing Unit?

9           A. Correct.

10          Q. And it was your practice to complain if  
11          production was ever too low, correct?

12                   MR. SAHASRABUDHE: Objection as to form.  
13          Go ahead.

14          A. I would want to know -- there would be reasons  
15          at times why they weren't -- maybe they didn't  
16          have the manpower. Maybe they were doing  
17          something different than their normal duties  
18          so, again, we keep track and make sure people  
19          were doing what they were being paid to do.

20          Q. But you would notify the command if you  
21          thought the numbers were not good, correct?

22          A. I'm positive I did that on probably more than  
23          one occasion.

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DANIEL DERENDA

1 Q. And the expectations that officers generate  
2 numbers was -- so you communicated the  
3 expectation that officers generate numbers  
4 when they're working on Strike Force details,  
5 correct?

6 MR. SAHASRABUDHE: Form.

7 A. My expectations were they were out there  
8 working. Again, it isn't all about numbers.  
9 It's about people being active and doing their  
10 jobs. I worked on patrol for ten years. I  
11 probably made over 200 arrests, 300 arrests a  
12 year with my partner.

13 We were out there. We were active and  
14 basically if you're getting paid to be out  
15 there, you're not tied to answering radio  
16 calls, I expected you to be proactive because  
17 that's what the unit was formed for, to be  
18 proactive to get out there be visible  
19 proactive and do your job so, again, at times  
20 numbers were low and they had a reason for it,  
21 but working patrol for ten years I know that  
22 there's violations all around you and if you  
23 were proactive you'd be doing your job.

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1 Q. And you instructed officers to impound as many  
2 vehicles as legally possible, correct?

3 MR. SAHASRABUDHE: Objection as to form.

4 A. I probably did. Probably on more than one  
5 occasion and that's actually --

6 Q. Why would that be your policy as commissioner?

7 A. Again, if you have illegal vehicles out  
8 unregistered, uninsured, whatever reason,  
9 they're a danger to the public and they  
10 shouldn't be on the road and they should be  
11 removed until they're within the guidelines of  
12 New York State.

13 That's my opinion. If you have somebody  
14 driving with no insurance and they hit your  
15 car and they take off, there's nobody legally  
16 responsible. If the car had switched plates  
17 or whatever reason to impound a vehicle if it  
18 wasn't supposed to be on the street I  
19 encouraged them to remove it.

20 Q. But isn't it true that BPD impounded cars so  
21 they could also search for weapons and guns?

22 MR. SAHASRABUDHE: Objection as to form.

23 A. At times they could impound cars, but if

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1 proceed on all of the above.

2 Q. Would you expect that BPD chiefs would be  
3 aware of those legal requirements?

4 A. Yes, I do. I would expect they would be.

5 Q. Does it concern you that chiefs gave  
6 instructions to officers contrary to those  
7 legal requirements?

8 MR. SAHASRABUDHE: Objection to form.

9 A. I'd have to see when it happened. Again, I  
10 don't know. I don't know what you're talking  
11 about so I really can't answer on that.

12 Q. Okay. You also during your time as  
13 commissioner instructed BPD officers engaged  
14 in traffic enforcement to make arrests and  
15 write traffic summonses as much as possible,  
16 correct?

17 MR. SAHASRABUDHE: Objection as to form.

18 A. Actually, that's on the directive to write as  
19 many tickets and violations as you see. We'll  
20 go back to the checkpoints for a minute.  
21 They're supposed to tag every violation that  
22 they see and make every arrest for every  
23 violation of the criminal, or whatever.

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1           Again, you can't -- you see one person  
2           not wearing a seatbelt, he should get a tag  
3           just like every other person coming through  
4           that checkpoint.

5           I encouraged them to be proactive,  
6           especially on the checkpoint situation that  
7           they weren't given a choice but to write as  
8           many tickets as possible based on what they  
9           see and to treat everybody the same.

10       Q. Is that departmental policy?

11       A. That was on a checkpoint directive to tag  
12       every violation they see was because I don't  
13       want motorist A to be treated any different  
14       than motorist B, so I wrote one ticket for  
15       motorist A when he had four violations, but on  
16       motorist B I wrote five violation tickets, but  
17       not the same.

18           I wanted everybody treated the same,  
19       tagged for every violation that came through.

20       Q. So your testimony is that you wanted all  
21       motorists in the City of Buffalo to be treated  
22       the same with respect to traffic enforcement?

23       A. Correct.

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1 Again, I don't recall ever looking at  
2 numbers saying we did too many here, we did  
3 too many there. Again, they were assigned  
4 spread out, but at times, as I said, they were  
5 put in areas where the Strike Force was  
6 assigned.

7 Q. So with respect to the checkpoint program, you  
8 did not during your time as commissioner adopt  
9 a policy treating all motorists in the City of  
10 Buffalo the same as pertains to checkpoint  
11 locations, correct?

12 MR. SAHASRABUDHE: Objection as to form.

13 A. So we treated everybody who came through a  
14 checkpoint the same. That was the directive.  
15 Everybody should have been tagged for every  
16 violation coming through. We took away the  
17 officer's discretion. Traffic stops issuing  
18 tickets is an officer's discretion what they  
19 write tickets for.

20 When they came through the checkpoints  
21 on the directive it makes it clear that they  
22 don't have that discretion. They were to tag  
23 everybody for every violation that came

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1 through.

2 Q. But you did not adopt a policy of ensuring  
3 that checkpoints were distributed evenly  
4 across districts in the city, correct?

5 A. Checkpoints, no, I did not. Checkpoints  
6 primarily were with Strike Force and Housing  
7 and, as I said, many times for the sake of  
8 convenience they were done in the areas that  
9 they were assigned.

10 Q. Am I correct that the Strike Force had  
11 city-wide jurisdiction?

12 A. They did.

13 Q. Am I correct that the Housing Unit has  
14 city-wide jurisdiction?

15 A. They did.

16 Q. But you did not instruct the Strike Force or  
17 Housing Unit to ensure that checkpoints took  
18 place in all neighborhoods across the City of  
19 Buffalo, correct?

20 MR. SAHASRABUDHE: Objection as to form.

21 A. Checkpoints were part of the daily duties of  
22 the Strike Force. No, I did not tell them to  
23 go to every different part. Again, they were

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—DANIEL DERENDA—

1           the other captain. I think Roberts was a  
2           captain there before him and then it would be  
3           by the lieutenants and, again, they would pick  
4           locations when it got down to their level for  
5           convenience sake.

6           Q. Now, as I believe you alluded to earlier  
7           today, there is a Manual of Procedure within  
8           the BPD concerning the operation of  
9           checkpoints, correct?

10          A. Correct. There is a section, correct.

11          Q. In Section 10.5 of the MOP?

12          A. Something like that, correct.

13          Q. And that MOP -- the checkpoint MOP is supposed  
14           to apply to each and every checkpoint that the  
15           Buffalo Police Department performs, correct?

16          A. Correct.

17          Q. Regardless of the unit that's performing them?

18          A. Yes.

19          Q. And so this MOP applied to checkpoints  
20           operated by the Strike Force, correct?

21          A. Strike Force and whoever.

22          Q. As well as checkpoints operated by the Housing  
23           Unit?

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1       A. Yes, and they would be under the directive  
2       which is I believe stated in the main.

3       Q. Okay. I'm going to introduce I believe we're  
4       up to Exhibit 16, a document that I understand  
5       to be the MOP in question.

6               It is a five-page document as excerpted.  
7       What we've done is we have a table of contents  
8       and then the policy that appears at  
9       Section 10.5, traffic checkpoints.

10              I'm going to forward to that page and do  
11       you see at the bottom of page 4 is -- sorry.  
12       This page is what's entitled 10.5, traffic  
13       checkpoints?

14       A. I do.

15       Q. Okay. And it continues onto the next page and  
16       it has subparts A through M. Do you see that?

17       A. Yes.

18       Q. And there is a revision date on this policy of  
19       August 14th, 2013. Do you see that?

20       A. I do.

21       Q. Is this the Manual of Procedure concerning  
22       checkpoints that was in place within the BPD  
23       during the time you were commissioner I guess

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1           and secondary high visibility.

2                   I wanted them to be out there doing  
3 checkpoints daily. That was my directive.  
4 It's what I wanted. They didn't always do  
5 them daily and there were reasons for it.  
6 Usually manpower shortages, but that was an  
7 expectation I put on them to do them daily.  
8 They didn't always like doing them, but that's  
9 what I wanted.

10       Q. Of all of the units of the BPD why did you  
11 select those two units to be responsible for  
12 operating daily checkpoints?

13       A. They were proactive units that were out and  
14 had no ties to the radio. In the districts  
15 you couldn't really have a detail car setup a  
16 checkpoint. An officer or two officers  
17 couldn't have setup a checkpoint.

18                   They were a proactive unit. Both of  
19 them were proactive units not tied to the  
20 radio that had the time and ability to do the  
21 checkpoints. That was part of their daily  
22 duties and part of what I expected.

23       Q. Is your testimony that the Housing Unit and

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1 Strike Force were the only units within the  
2 entire BPD that were not tied to the radio?

3 A. Traffic was not tied to the radio, but they  
4 had other things they would do such as hockey  
5 games down at the arena or other events or  
6 whatever details they had going.

7 At times they may have requested  
8 checkpoints, but mostly they did details at  
9 different events and races and tons of things  
10 that happened in the city.

11 No other unit, patrol unit. The only  
12 other patrol units other than traffic, and  
13 they're not even a patrol unit per se, and  
14 they did more traffic blocking and all that,  
15 Strike Force, Housing and then you had details  
16 and yes, they could have done them in details  
17 if they had enough people to do them and they  
18 had a reason to do them, but Strike Force and  
19 Housing were proactive units with no ties to  
20 the radio, with city-wide jurisdiction and  
21 part of what I wanted them to do -- what I  
22 wanted them to do was a checkpoint each and  
23 every day when possible.

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1 missing some directives or some boxes, I don't  
2 know. Again, I can't answer that question.

3 I do know data was given to the Council.  
4 I don't know if it was complete, but I know  
5 data was turned over to the Council and I  
6 don't know the timeframe of when it was turned  
7 over, but I was told it was turned over by the  
8 law department.

9 Q. Now, we talked earlier about checkpoint  
10 directives. The checkpoint directives in a --  
11 we also talked about Strike Force daily  
12 reports. Do you recall that?

13 A. Yes.

14 Q. And we talked about the ways that things like  
15 arrests were tracked on the Strike Force's  
16 daily reporting?

17 A. Yes.

18 Q. What other information was tracked on the  
19 daily reports?

20 A. Again, I don't have a total recall. I have  
21 not reviewed a daily report, but it would be  
22 traffic summonses, arrests, impounds, guns,  
23 maybe even cash seized. I don't have a total

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— DANIEL DERENDA —

1           recollection of what was on the report and  
2           then just maybe a summary of their activity,  
3           anything special to note.

4           Q. Okay. Now, the daily Strike Force report that  
5           the -- the daily statistics that the Strike  
6           Force maintained in 2013 through 2016, they  
7           did not list out the types of summonses that  
8           were issued by the Department, correct?

9           A. I don't recall them breaking it down by  
10          summonses. I don't recall. I know they  
11          issued a number of summonses. I don't know if  
12          they went into individuals from the licenses,  
13          whatever, stop signs.

14                 I don't think they went into that  
15          detail. I think they just listed the number  
16          of summonses issued that day on the individual  
17          reports and the daily reports were added up to  
18          the monthly reports and the monthly reports  
19          were added up to the yearly or annual report.

20          Q. If the purpose of the checkpoint was traffic  
21          safety why didn't the BPD record the type of  
22          summonses that were being issued?

23                 MR. SAHASRABUDHE: Objection as to form.

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1       A. As I said, when I wrote this I believe that  
2       was one of the things I was told to put in it  
3       or should put in it. I don't recall exactly  
4       who told me, but it's what -- the policy we  
5       put in place was the directive. It should  
6       have been followed.

7               As I said, I had no reason to believe it  
8       wasn't being followed, but it should have been  
9       if it was.

10      Q. Okay. Now, do you see on bullet four it says  
11      conduct a traffic stop on any vehicle that  
12      attempts to avoid the roadblock?

13      A. Yes.

14      Q. Were officers instructed on what constitutes  
15      attempting to avoid a roadblock?

16               MR. SAHASRABUDHE: Objection as to form.

17      A. I don't know.

18      Q. So in your time as commissioner did you issue  
19      any such guidance?

20      A. I don't recall.

21      Q. Now, when people were -- when people were --  
22      when checkpoints were established they were  
23      not targeting exclusively those motorists

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1           suspected of violating vehicle and traffic  
2           laws, correct?

3                   MR. SAHASRABUDHE: Objection as to form.

4           A. A checkpoint is not targeting anyone. A  
5           checkpoint -- people are going through the  
6           checkpoint and officers are observing whether  
7           they have a valid registration, inspection  
8           sticker, so on and so forth and if they're  
9           wearing seat belts as the directive states.  
10          If they're not they should be tagged for each  
11          and every one of those violations.

12          Q. So prior to entering the checkpoint BPD  
13          officers didn't have reasonable suspicion to  
14          believe any given motorist was violating the  
15          law, correct?

16                   MR. SAHASRABUDHE: Objection as to form.

17          A. They could have. If they're pulling up to the  
18          checkpoint, all of a sudden backing up and  
19          starting to flee, then they would have reason  
20          for, in my opinion, pulling them over.

21          Q. Okay.

22          A. And asking them the question stated in the  
23          directive.

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— DANIEL DERENDA —

1       Q. But the checkpoints were not administered in a  
2       manner where motorists who are not suspected  
3       of Vehicle and Traffic Law violations could  
4       bypass the checkpoints entirely, correct?

5       A. Correct. Everybody has to come through the  
6       checkpoint when you're in that motion and,  
7       again, there's nobody suspected of anything.  
8       They're coming through a checkpoint and  
9       they're being checked for certain things as  
10      stated.

11      Q. Now, Mr. Derenda, you're aware that the  
12      complaint in this case alleges that  
13      checkpoints were predominantly on the East  
14      Side between 2013 and the conclusion of the  
15      program in 2017, correct?

16      A. I believe that to be correct.

17      Q. Are you aware of any information that  
18      disproves the allegation that checkpoints were  
19      predominantly on the East Side during the  
20      period of the Strike Force's operation of that  
21      checkpoint?

22      A. I'm not aware of the actual breakdown of where  
23      the checkpoints were and what percentage, so

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1 constitutional of the checkpoint program  
2 following the release of this article?

3 MR. SAHASRABUDHE: Objection as to form.

4 A. My belief the way we operated the checkpoints  
5 was within constitutional requirements. That  
6 is my belief.

7 Q. Rebecca, can you repeat my question?

8

9 (Record read back by reporter.)

10

11 A. I do not.

12 Q. It's a yes or no question.

13

14 Now, are you aware that it's been  
15 alleged that the checkpoint program  
16 disproportionately impacted Black motorists?

17 A. I believe that to be the basis, yes.

18 Q. Has the Buffalo Police Department ever  
19 conducted any evaluations on the impact of the  
20 Strike Force checkpoint program on Black  
21 residents in Buffalo?

22 A. They have not.

23 Q. And that includes since the lawsuit has been  
filed?

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1 A. They have not.

2 Q. Has the Buffalo Police Department ever  
3 conducted any evaluations on the impact of the  
4 Strike Force checkpoint program on Latino  
5 residents of Buffalo?

6 MR. SAHASRABUDHE: Hold on. Note my  
7 objection to the last two questions. I'm  
8 objecting to the form of the question, but go  
9 ahead.

10 A. No.

11 Q. And that includes since this lawsuit was  
12 filed, correct?

13 A. That's correct.

14 Q. Has the City of Buffalo ever conducted any --  
15 why hasn't the City of Buffalo conducted  
16 either of those studies?

17 MR. SAHASRABUDHE: Objection as to form.  
18 Go ahead.

19 A. Because the Buffalo Police do not and did not  
20 base traffic enforcement, any enforcement on  
21 race so, therefore, we did not conduct any  
22 study.

23 Q. Did you conduct any -- I'm sorry. When you

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DANIEL DERENDA

1 state that you did not base practices on race,  
2 what is the basis for that testimony?

3 MR. SAHASRABUDHE: Objection. Go ahead.

4 A. We don't -- we follow the law. Officers give  
5 tickets based on infractions, make arrests  
6 based on infractions. There was no study  
7 conducted. I spoke to corporation counsel. I  
8 spoke to current police staff.

9 There has been nothing since I left and  
10 we believe that they can do whatever -- the  
11 officers do what they need to do with each  
12 situation and if there was a complaint it  
13 would be or should be filed with Internal  
14 Affairs and any individual cases would be  
15 investigated, but I do not believe the Buffalo  
16 Police Department did or currently do any  
17 enforcement based on anybody's race.

18 Q. And to that end, you did not study the racial  
19 impact or the impacts of your policing  
20 practices by race on the citizens of Buffalo?

21 A. We did not do any study on impact, correct.

22 Q. So sitting here today, there is nothing you  
23 can point to -- strike that.

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—DANIEL DERENDA—

1                   So sitting here today, there is no  
2                   studies that the Buffalo Police Department  
3                   have done to dispel the allegations or to  
4                   disapprove the allegation that Black motorists  
5                   in the City of Buffalo were stopped in  
6                   checkpoints more frequently than White  
7                   motorists?

8                   MR. SAHASRABUDHE: Objection to form.

9                   A. There have been no studies done.

10                  Q. Now, has the Buffalo Police Department since  
11                  2013 conducted any studies regarding the  
12                  racial impact of the Buffalo Police  
13                  Department's traffic enforcement practices,  
14                  setting aside the issue of checkpoints?

15                  MR. SAHASRABUDHE: Objection as to form.

16                  A. Not that I'm aware of.

17                  Q. Has the City of Buffalo conducted or  
18                  commissioned any studies regarding the racial  
19                  impacts of the Buffalo Police Department's  
20                  towing practices on the City of Buffalo?

21                  MR. SAHASRABUDHE: Objection to form.

22                  A. Not that I'm aware of.

23                  Q. Has the City of Buffalo since 2013

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1 commissioned any studies regarding the impact  
2 of the Buffalo Police Department's tinted  
3 window ticketing practices of racial  
4 minorities in Buffalo?

5 MR. SAHASRABUDHE: Objection to form.

6 A. Not that I'm aware of.

7 Q. Are you aware that there is an allegation in  
8 this case that the Buffalo Police Department's  
9 tinted window ticketing practices  
10 disproportionately and negatively impacted  
11 racial minorities?

12 MR. SAHASRABUDHE: Objection as to form.

13 A. I'm not aware of that being one of the  
14 complaints.

15 Q. Do you know why the City of Buffalo has never  
16 conducted any studies regarding the racial  
17 impacts of its target enforcement practices in  
18 the City of Buffalo?

19 A. I'll make the assumption --

20 MR. SAHASRABUDHE: Hold on. Objection  
21 to form. Go ahead.

22 A. I'll make the assumption no studies were done  
23 because, as I said, Buffalo police do not and

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1 did not enforce any laws based on race. If  
2 you give somebody a ticket no matter what  
3 color they are and they can't afford to pay it  
4 should the officer not give them the ticket  
5 because they can't afford to pay it, although  
6 the violation happened?

7 Again, the officers do not and I don't  
8 believe they ever did give tickets out based  
9 on race and/or make arrests on race so,  
10 therefore, there has not been a study that I'm  
11 aware of and there currently is no study in  
12 process.

13 Q. And I note that you said you were assuming and  
14 so I assume you don't know the reason why the  
15 City of Buffalo or the Buffalo Police  
16 Department has conducted no studies?

17 MR. SAHASRABUDHE: I object. Go ahead.

18 A. Speaking with corporation counsel the reason  
19 being is that officers did not and do not  
20 enforce the law based on race and there were  
21 no studies done and there currently are no  
22 studies being done.

23 Q. So if every single traffic ticket the City of

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**DANIEL DERENDA**

1 Q. Okay. Now, Mr. Derenda, there's an allegation  
2 in this case that Strike Force and Housing  
3 Unit officers at times were issuing multiple  
4 tickets to motorists at a single stop.

5 Are you aware of that?

6 A. Yes.

7 Q. Including multiple tinted window tickets?

8 A. I am aware.

9 Q. And you're aware that Strike Force and Housing  
10 Unit officers at times did issue multiple  
11 tickets at a single stop?

12 A. Probably issued multiple tickets numerous  
13 times at stops.

14 Q. And you're aware that Strike Force and Housing  
15 Unit officers on numerous occasions issued  
16 multiple tinted windows tickets at a single  
17 stop?

18 A. Yes.

19 Q. That was -- when officers engaged in that  
20 conduct they did so with your permission?

21 MR. SAHASRABUDHE: Objection to form.

22 Go ahead.

23 A. When I found out that they were issuing

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DANIEL DERENDA

1 multiple tickets for multiple windows the  
2 policy was put in place that it was to stop.  
3 Speaking to current Commissioner Gramaglia he  
4 today still maintains that policy.

5 However, under Vehicle and Traffic Law  
6 it is permissible to write multiple tickets  
7 for multiple windows and as far as multiple  
8 tickets go, if you read the directive, the  
9 checkpoint directive, they're to write  
10 everything that they see coming through the  
11 checkpoints, so multiple tickets were probably  
12 written almost every time and it is their  
13 prerogative.

14 Other than the checkpoint, it was not  
15 their prerogative. They would have to write  
16 every ticket, but on traffic stops it's the  
17 prerogative of how many tickets they write, if  
18 they want to write one ticket, if there's  
19 multiple violations, it's left to the  
20 discretion of the officers.

21 Q. Is your testimony that you took steps while  
22 you were commissioner to remove the discretion  
23 that officers otherwise enjoyed as to how many

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1 traffic tickets they would issue?

2 A. We never --

3 MR. SAHASRABUDHE: Objection to form.

4 Go ahead.

5 A. We never removed the discretion. The  
6 discretion is their discretion. There was no  
7 discretion, as I said, on the checkpoints.  
8 They were to tag everything they see so that  
9 everybody coming through that checkpoint would  
10 be treated the same, but they have discretion  
11 on how many tickets they write on other cases,  
12 but what we did say was we did not want any  
13 more tickets for multiple windows and that was  
14 when I was there and I spoke to Gramaglia and  
15 he still maintains that position.

16 However, as I stated, V&T allows them to  
17 write multiple tickets for multiple windows  
18 and, again, currently today it is their  
19 discretion on traffic stops how many tickets  
20 they write for violations. It's a discretion  
21 they still have and they had under my command.

22 Q. And today they still have that discretion with  
23 respect to tinted window tickets?

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1 A. No. Commissioner Gramaglia maintained a  
2 policy that I put in place that they were to  
3 issue one ticket because the fact of the  
4 matter is it would go to the court and the  
5 judge would throw out the tickets other than  
6 one anyway, but still, to me, what part of the  
7 Strike Force they were just putting numbers so  
8 they could put it on a report and that wasn't  
9 the purpose of the report, just to pad their  
10 numbers and say they were doing more than they  
11 were actually doing.

12 So you had four tickets for a tinted  
13 window and in my opinion it should be one, but  
14 as I stated, under V&T traffic law it is  
15 permissible for them to write for each window.  
16 I just didn't like that.

17 Q. You stated -- so your testimony is today that  
18 you prohibit the practice of issuing multiple  
19 tinted windows tickets?

20 A. We put out a policy telling them to stop.

21 Q. What form did that policy take?

22 MR. SAHASRABUDHE: Form.

23 A. It would have probably have been a directive

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—DANIEL DERENDA—

1 to the chiefs, some kind of directive to the  
2 chiefs that we did not want them writing  
3 multiple tickets for windows and as I spoke to  
4 -- as I said, I spoke to Gramaglia in  
5 preparation for this and he maintains that  
6 same policy.

7 Q. Was that a policy that you believe appeared in  
8 writing?

9 A. It should have.

10 MR. SAHASRABUDHE: Form.

11 A. Somewhere.

12 Q. Did you issue --

13 A. I don't recall exactly whether it was in email  
14 form. I don't recall, but I wanted the  
15 practice to stop.

16 Q. Would you have communicated -- strike that.

17 Is your expectation that captains on the  
18 Strike Force and Housing Unit would be versed  
19 in this policy once you created it?

20 A. It would have gone to the chiefs, the chief of  
21 the unit, at that time Young. It probably was  
22 Young, but could have been Brinkworth but,  
23 again, we wanted the policy to stop.

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1                   We wanted them to stop as policy to  
2                   write multiple tickets for windows. Not  
3                   multiple tickets overall. That discretion  
4                   they retained other than on traffic  
5                   checkpoints where they had no discretion but  
6                   to issue all tickets that they see.

7           Q. And so to clarify, in the first instance did  
8           your policy suspending the issuance of  
9           multiple tinted windows tickets apply to  
10          checkpoint stops?

11          A. Yes.

12          Q. So at checkpoint stops notwithstanding the  
13          policy you just described of officers needing  
14          to write every violation they saw, as many  
15          tickets as there were violations, that did not  
16          -- that ceased to apply to tinted windows  
17          tickets at some period of time?

18          A. Correct. We wanted them to write one ticket,  
19          not four tickets or whatever they were  
20          writing. We found out about it from parking  
21          -- not from the parking, but the traffic  
22          bureau that they were doing that. We were  
23          unaware of that and we told them to stop.

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—DANIEL DERENDA—

1 Q. Did your policy authorize officers to write  
2 two tinted windows tickets per stop?

3 MR. SAHASRABUDHE: Objection to form.

4 A. We told them to write one ticket for tinted  
5 windows is what I believe the policy was. We  
6 didn't -- again, you go back to V&T law. They  
7 can do that. We did not want them to do that  
8 and we had told the chief and the chiefs that  
9 the process needs -- that that needs to stop.

10 Q. And were the chiefs supposed to be enforcing  
11 the policy of writing a single tinted window  
12 ticket per stop?

13 MR. SAHASRABUDHE: Form.

14 A. Yes.

15 Q. Would that include Chief Young?

16 A. Yes.

17 Q. Then Deputy Commissioner Byron Lockwood, was  
18 he made aware of the policy of your new  
19 guidance concerning tinted windows tickets?

20 A. Yes, he would have been.

21 Q. Would you have expected him to enforce the  
22 policy within the Department?

23 A. He wasn't the direct oversight for the Strike

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1 Force. The chief that was his unit, if it was  
2 happening in Strike Force or Housing it should  
3 have been Chief Young's job to stop it, not  
4 Lockwood's unless he came up to Lockwood and  
5 he found out about it. Then he would stop it.

6 And again, I don't recall the timeframe  
7 of when that took place or when we found out  
8 about the date and timeframe, but when we did  
9 find out about it we wanted it to stop.

10 It made no sense in my opinion to write  
11 four tickets for tinted windows. I believe  
12 one should have been written.

13 Q. When did you adopt this policy calling for the  
14 issuance of a single tinted windows ticket per  
15 traffic stop?

16 A. As I just stated, I don't recall the  
17 timeframe.

18 Q. Do you think you adopted that policy as of  
19 2017?

20 MR. SAHASRABUDHE: Form.

21 A. Well, maybe I found out about it so at some  
22 point obviously no later than '17 because I  
23 was gone in '18 and the unit was disbanded,

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1 but yeah, maybe sometime in '17, maybe  
2 sometime earlier.

3 I don't recall when I found out about  
4 it, but we found out about it from Traffic  
5 Violations Bureau got a phone call saying what  
6 was going on and we wanted it to stop and we  
7 told the chiefs to make sure it was stopped.

8 Q. Did you ever check to see if your directive  
9 was being followed?

10 A. You make the assumption the chiefs are doing  
11 what they're ordered to do unless I find out  
12 different, so I give somebody an order to do  
13 something or a policy and they don't do it and  
14 I find out about it, they have a problem and  
15 they probably wouldn't be a chief anymore if  
16 they're not following my orders, so you have  
17 to make the assumption, you have to trust your  
18 people to do what they're being told, so we'll  
19 make the assumption that they were doing what  
20 they were being told unless I find out  
21 different.

22 Q. I'd like to mark as what I believe is  
23 Exhibit 28 a document I have provided in

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DANIEL DERENDA

1 discovery as COB 016263. It is an email that  
2 was sent by Captain Phillip Serafini of the  
3 Strike Force/Housing Unit to a number of BPD  
4 recipients including Chief Young and Deputy  
5 Police Commissioner Lockwood.

6 Do you see that?

7 A. Correct.

8 Q. It begins, Lieutenant, I met with Chief Young  
9 today and he had a meeting with BPD Lockwood  
10 outlining our new Strike Force focus and  
11 overtime details", and it proceeds and the  
12 email proceeds from there.

13 Do you see that?

14 A. I do.

15 Q. In this first paragraph following the colon do  
16 you see that it is describing a new policy on  
17 tinted windows tickets?

18 A. I do.

19 Q. Do you see that it says that instead of  
20 issuing six separate traffic summonses for  
21 window tints that two tint summonses per  
22 motorists is enough?

23 A. I see that.

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1 Q. Is that consistent with the policy directives  
2 that you --

3 A. My best recollection is I said they should be  
4 issuing one ticker per tinted window violation  
5 regardless of if there were six windows  
6 tinted.

7 Q. So this directive that Captain Serafini gave  
8 to the Strike Force to issue up to two  
9 summonses was not consistent with your policy  
10 as stated, correct?

11 A. It is my belief it should have stated one tint  
12 summons per motorist is enough.

13 Q. Now, did you ever check with Chief Young or  
14 anyone else in the supervisory command of the  
15 Strike Force to ensure that your policy of  
16 just a single summons was being followed?

17 A. I don't recall if I did or I didn't, but I  
18 know we were no longer getting complaints from  
19 the Traffic Violations Bureau.

20 Q. In your opinion, should Chief Young have  
21 corrected Captain Serafini and indicated that  
22 the Department's new policy was in fact to  
23 issue only one ticket per tinted window

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1 summons?

2 MR. SAHASRABUDHE: Objection as to form.

3 A. It should have been corrected. Obviously I  
4 did not see this email, nor was I -- I don't  
5 ever recall seeing this email or was I at  
6 their meeting, so I don't know how it came out  
7 of one.

8 Q. Okay.

9 A. But again, let me go back and state under  
10 Vehicle and Traffic Law it is permissible for  
11 them to write six tickets for every window,  
12 but again, I don't believe that should be the  
13 policy and I believe our policy as stated is  
14 the one ticket is what I wanted.

15 Q. Why did you believe that officers should not  
16 or should cease the practice of issuing six  
17 tickets per window?

18 A. Because getting calls from the Traffic  
19 Violations Bureau they were dumping them down  
20 to one ticket anyway and to me it kind of  
21 aggravated me that when I'm looking for  
22 numbers of really what they're doing and  
23 they're writing, so they're saying they're

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1 writing six tickets but in my mind it's one  
2 violation. It should have been one ticket.  
3 That is my belief. That's what I wanted.

4 Q. And I believe you stated that you had an  
5 understanding of why officers wrote multiple  
6 tinted windows tickets per stop?

7 A. Yes. I think they were trying to pad their  
8 numbers to make it look like they were doing  
9 more than what they were actually doing.

10 Q. What does that mean exactly?

11 A. They know we check the numbers and, again,  
12 what gets measured gets done, so when they're  
13 writing six tickets when really in my mind  
14 it's only one violation, they're really  
15 writing one ticket but overstating the number  
16 of tickets they're writing.

17 They all got thrown out. They were  
18 reduced down to one. In some cases they might  
19 have been reduced, period. I don't know, but  
20 it made no sense in my mind for them to be  
21 writing six tickets when they should have been  
22 in my mind writing one.

23 Q. Why did officers find it an incentive to pad

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1           their numbers?

2                       MR. SAHASRABUDHE:   Form.

3           A. So they didn't hear from me saying they're not  
4           doing enough? Again, my saying was what gets  
5           measured gets done. I would look at numbers.  
6           I wanted to be proactive. I wanted them to be  
7           productive.

8                       I wanted them to be out there doing  
9           their job and, again, those numbers weren't  
10          realistic to me. It should have been one. If  
11          it was one case it should have been one, not  
12          six.

13          Q. Mr. Derenda, are you aware that since 2012  
14          there has never been a time where the BPD --  
15          strike that.

16                      Are you aware that from 2013 to 2017  
17          there was never a period where the Buffalo  
18          Police Department's average number of tinted  
19          windows tickets per incident averaged less  
20          than one and a half tickets?

21                      MR. SAHASRABUDHE:   Objection as to form.

22          A. I'm not aware of that.

23          Q. I'd like to mark as Exhibit 29, unless the

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1           numbers are off, a document that technically  
2           was used once already. It was marked as  
3           Exhibit 20 in your November, 2021 deposition  
4           and it is a compilation based on City data of  
5           the average tinted windows tickets per  
6           incident by month issued by the Department or  
7           officers of the Department.

8                     Do you see that?

9           A. The dates?

10          Q. The dates are on the bottom. It's year and  
11           then month and it's skipping every two months.

12          A. So '07, '11, '19, '18. Again, average ticket  
13           windows, the numbers are the numbers, but  
14           those numbers would be skewed if somebody is  
15           writing six until they were stopped and then  
16           they would be writing one and then in this  
17           case maybe two, but the numbers would be  
18           higher because they were writing multiple  
19           tickets for one window for the windows. That  
20           would be my explanation for that.

21          Q. You left the Department as of -- prior to  
22           March, 2019, correct?

23          A. Correct.

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1 Q. So is it fair to say that during your tenure  
2 as commissioner your policy of having officers  
3 write a single tinted window per ticket was  
4 not complied with?

5 MR. SAHASRABUDHE: Objection as to form.

6 A. I left the Department in January, 2018. So  
7 let's look at the '17 numbers. Did they come  
8 down? Apparently they did, but again, the  
9 numbers would be skewed if somebody was  
10 writing more.

11 So can you make it a little bigger  
12 because I'm having trouble seeing the bottom,  
13 the dates.

14 Q. Sure.

15 A. So '17. The numbers went up after I left in  
16 '18.

17 Q. Are you aware of any instances where officers  
18 have been subject to discipline for violating  
19 what you've described as the Department's  
20 policy that now requires only a single tinted  
21 window ticket per incident?

22 MR. SAHASRABUDHE: Objection to form.

23 A. I don't recall any cases. I'm not saying

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1 STATE OF NEW YORK)

2 COUNTY OF ERIE )

3  
4 I, Rebecca Lynne DiBello, CSR, RPR, Notary  
5 Public, in and for the County of Erie, State of  
6 New York, do hereby certify:

7 That the witness whose testimony appears  
8 hereinbefore was, before the commencement of  
9 their testimony, duly sworn to testify the  
10 truth, the whole truth and nothing but the  
11 truth; that said testimony was taken pursuant  
12 to notice at the time and place as herein set  
forth; that said testimony was taken down by me  
and thereafter transcribed into typewriting,  
and I hereby certify the foregoing testimony is  
a full, true and correct transcription of my  
shorthand notes so taken.

13 I further certify that I am neither counsel  
14 for nor related to any party to said action,  
15 nor in anyway interested in the outcome  
thereof.

16 IN WITNESS WHEREOF, I have hereunto  
17 subscribed my name and affixed my seal this  
18 30th day of January, 2024.

19 

20 -----  
21 Rebecca Lynne DiBello, CSR (NY)  
22 Notary Public - State of New York  
23 No. 01D14897420  
Qualified in Erie County  
My commission expires 5/11/2027

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